

01600-110.3

UNITED STATES COURT OF APPEALS
FOR DISTRICT OF COLUMBIA CIRCUIT

WILLIAM T. MILLER
ROBERT A. O'NEIL
JAMES R. CHOUKAS-BRADLEY
JOHN MICHAEL ADRAGNA
JAMES R. O'NEIL
JOHN P. BRADY
SEAN T. BEENY
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COUNSEL

*ADMITTED IN OTHER THAN THE DISTRICT OF COLUMBIA

December 23, 2011

Mr. Mark J. Langer
Clerk, United States Court of Appeals
For the District of Columbia Circuit
United States Courthouse
Room 5423
333 Constitution Avenue, N.W.
Washington, D.C. 20001-2866

Re: *American Public Gas Association v. U.S. Department of Energy*,
Case No. _____

Dear Mr. Langer:

11-1485

Enclosed for filing are an original and four (4) copies of a Petition for Review of the American Public Gas Association.

A Rule 26.1 corporate disclosure statement for Petitioner is attached to the petitions. A check payable to the Court of Appeals in the amount of \$450.00 for the filing fee is also enclosed.

Three additional copies of the petition are enclosed to be date-stamped and returned to me via our courier. Thank you for your assistance.

Very truly yours,

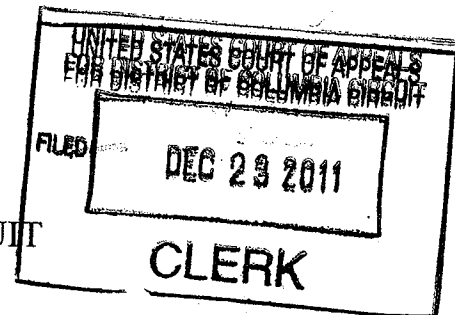
William T. Miller

William T. Miller

Enclosures

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FOR THE DISTRICT OF COLUMBIA CIRCUIT



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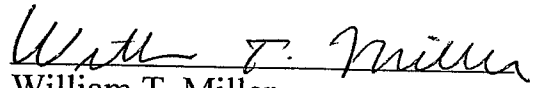
American Public Gas Association,)
Petitioner,)
v.)
U.S. Department of Energy)
Respondent.)

Case No. 11-1485

PETITION FOR REVIEW

Pursuant to Section 336 of the Energy Policy and Conservation Act of 1975, 42 U.S.C. § 6306(b)(1), and Rule 15(a) of the Federal Rules of Appellate Procedure, the American Public Gas Association hereby respectfully petitions this Court to review (i) a direct final rule and (ii) a notice of effective date and compliance dates for direct final rule, both of which were promulgated by the United States Department of Energy in a proceeding entitled “Energy Conservation Program: Energy Conservation Standards for Residential Furnaces and Residential Central Air Conditioners and Heat Pumps” and published in the Federal Register at 76 Fed. Reg. 37408 (June 27, 2011) and 76 Fed. Reg. 67037 (October 31, 2011), respectively. Copies of the orders are attached as Exhibit A and Exhibit B, respectively.

Respectfully submitted,



William T. Miller

Jeffrey K. Janicke

MILLER, BALIS & O'NEIL, P.C.

1015 Fifteenth Street, N.W.

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Attorneys for

American Public Gas Association

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Petitioner,)
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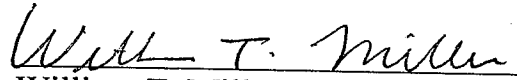
Case No. 11-1485

DISCLOSURE STATEMENT PURSUANT TO RULE 26.1

The American Public Gas Association (“APGA”) is a non-profit, non-stock corporation organized and existing under the laws of Commonwealth of Virginia, and has its principal place of business at 201 Massachusetts Avenue, N.E., Ste. C-4, Washington D.C. 20002. APGA is the national, non-profit association of publicly-owned natural gas distribution systems, with over 700 members in 36 states. APGA promotes and advances the interests of publicly-owned natural gas distribution systems, including municipal gas distribution systems, public utility districts, county districts, and other public agencies that have natural gas distribution facilities.

APGA is a trade association within the meaning of Circuit Rule 26.1(b) and thus is exempt from the requirement to list the names of its members that have issued shares or debt securities to the public.

Respectfully submitted,

A handwritten signature in cursive script that reads "William T. Miller". The signature is written in dark ink and is positioned above the printed name.

William T. Miller
Jeffrey K. Janicke

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December 23, 2011

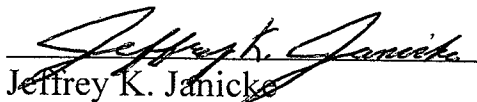
CERTIFICATE OF SERVICE

I certify that I caused a copy of the foregoing Petition for Review and Disclosure Statement pursuant to Circuit Rule 26.1 to be mailed today, December 23, 2011, by certified mail, return receipt requested, to:

Dr. Steven Chu
Secretary
U.S. Department of Energy
1000 Independence Ave., SW
Washington, D.C. 20585

Sean Lev
Acting General Counsel
Office of the General Counsel
U.S. Department of Energy
1000 Independence Ave., SW
Washington, D.C. 20585

Eric H. Holder, Jr.
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530-0001


Jeffrey K. Janicke

Dated: December 23, 2011